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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,051	12/18/2000	Gregory C. Flickinger	T900-11	4809

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EXAMINER

ALPERT, JAMES M

ART UNIT PAPER NUMBER

3624

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/740,051

Applicant(s)

FLICKINGER ET AL.

Examiner

James Alpert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/18/2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04/29/2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

The application has been reviewed, and Claims 1-18 are pending. The objections and rejections are as stated below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-2, 5, 8, 10-12, 14 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Suliman, Jr. et al. U.S.P.A.P # 20010053980.

With regard to Claims 1,12,18 Suliman teaches a media and method comprising:

providing an electronic registration database; (Para. 11 lines 1-3)

providing a data file comprising data specific to an entity that purchases or owns assets; (Para. 37 lines 5-10)

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extracting the data specific to an entity from the electronic data file and entering it into the registration database; (Para. 37 lines 13-15)

associating the data specific to the entity and the data specific to the asset, thereby registering the asset for the entity. (Para. 81 lines 16-17, Para. 37 lines 15-17)

With regard to Claim 2, Suliman teaches a media and method wherein:

registration is performed during the purchase of the asset. (Para. 45 lines 4-7)

With regard to Claims 5,14, Suliman teaches a media and method wherein:

the electronic file is installed on a media accessible to a third party's computer.
(Para. 62 lines 11-16, Para. 66 lines 21-26, Para. 77 lines 1-5)

With regard to Claims 8,17, Suliman teaches a media and method wherein:

the data file includes data for insuring an asset. (Para. 51 lines 8-11, Para. 64 lines 7-11)

With regard to Claim 10, Suliman teaches a media and method wherein:

the registration database provides a composite record of assets registered by specific entities and allows for the reporting and manipulation of the same.
(Para. 52 lines 1-6, Para. 62 lines 3-4, Figure #8)

With regard to Claim 11, Suliman teaches a media and method wherein:

the entities maintain control over personal, and or entity registration data.
(Para. 37 lines 24-26, Para. 62 lines 11-16)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-4, 6-7, 9, 13, and 15-16 are rejected under 35 U.S.C. 103(a) as being

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unpatentable over Suliman.

To restate, Suliman teaches a media and method comprising:

providing an electronic registration database;

providing a data file comprising data specific to an entity that purchases or owns assets;

extracting the data specific to an entity from the electronic data file and entering it into the registration database;

associating the data specific to the entity and the data specific to the asset, thereby registering the asset for the entity. (See the rejection of Claim 1 under 35 U.S.C 102(e), above)

With regard to Claims 3,4,13 Suliman fails to disclose that the media is loaded onto a purchasing entity's or owner entity's computer, and the data specific to an entity is extracted by an application on a second computer through a computer network, such as the Internet. The examiner takes Official Notice that maintaining a data file on a home computer, and having the data and/or the file itself extracted from the computer remotely over the Internet is old and well known in the art. Being so, it would have been obvious to modify the teaching of Suliman to include the media for and step of: maintaining purchaser information on the purchaser's own computer, and then later extracting the data over a network. The reason for such modifications would simply be to increase the ease and convenience to users of the product registration system. The system would be much more user friendly.

With regard to Claims 6,15, Suliman teaches the media for and step of: installing the electronic file on a media accessible to a third party's computer. (See the rejection of Claim 5 under 35 U.S.C 102(e), above). Suliman fails to teach that the said third party with access is a credit card company. The examiner takes Official Notice

that credit card companies are interested in procuring information about users, and this being so, it would be obvious to modify the teachings of Suliman to include a credit card company as a third party whose computer has access to the purchaser/customer data file. The reason for such a modification would be that credit card companies have a stake in many transactions, for example, when extended warranties are automatically granted due to use of the card. Efficiency in processing warranty requests would improve, thereby increasing customer satisfaction.

In addition, some credit card companies can use information gathered by accessing product registration databases by selling consumer data. Suliman actually discusses this practice at Para. 3 lines 14-18.

With regard to Claims 7,16, Suliman fails to disclose the media for and step of: installing the electronic file on a smart credit card. The examiner takes Official Notice that use of a smart card to store data is old and well known in the art. Being so, it would be obvious to modify the teachings of Suliman to include a media and step for storing purchaser specific data on a smart card. The reason for such a modification would be to increase the efficiency in associating product data with purchaser data by allowing an easier process of transmitting purchaser data to the registration system.

With regard to Claim 9, Suliman teaches the step wherein the data file includes data for insuring an asset. (See the rejection of Claim 8 under 35 U.S.C 102(e), above). Suliman does not explicitly teach of the step wherein an insurer has access to the electronic registration database and automatically insures an asset when it is registered. Suliman does suggest in the disclosure of the possibility of automatically insuring an

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asset once registered, in the sense that insurance is a product related services. (Para. 14 lines 1-3, Para. 63 lines 1-5) It would thus be obvious to modify the teachings of Suliman to include an automatic registration of those assets that would benefit from immediate coverage. The reason for such a modification is as expressed in Suliman: to make available those services and products that are necessary or desirable for use and enjoyment of the asset.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a) Carter et al., U.S. Patent 6219652 April 17, 2001, Network License Authentication.

b) Colosso, U.S. Patent 6311170 Oct. 30, 2001, Method and Apparatus for Regulating the Use of Licensed Products.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Alpert whose telephone number is (703) 305-4001. The examiner can normally be reached on M-F 9:00-6:00, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millen can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully,

James Alpert
August 13, 2004



HANI M. KAZIMI
PRIMARY EXAMINER